

# **Milwaukee County - FILING AN EARNINGS**

## **GARNISHMENT**

**Note: You can only use this form if you know where the debtor (person you sued) works. If you do not know that information, start with the Financial Disclosure Form and checklist.**

1. Obtain the forms in **Room 104** by paying the filing fee (\$97.00). If you are indigent, these fees may be waived. Fill out a Fee Waiver request form, have it notarized, and take it to **Room 609** for approval (you must have proof of public benefits and proof of income). Then take the approved waiver to **Room 104** to get the forms.
2. Fill out the garnishment forms using the samples.
3. You will have 2 copies of an earnings garnishment form, one to serve on the debtor and one on the garnishee.
4. You must have the address of the debtor (the person that owes you) and the name and address of his or her employer.
5. The costs of the garnishment are the \$97.00 (if you did not get a fee waiver), the \$15.00 garnishee fee, and the cost of mailing 2 letters via certified mail (about \$8.00).
6. Volunteers can't help calculate interest – Statutory interest is 12% per year (1% per month) from the date of judgment.
7. File the Earnings Garnishment Notice in **Room 104**.
8. Mail one copy of the earnings garnishment form – the one that says “Garnishee’s Copy,” along with a garnishee fee of \$15.00 to the employer via certified mail.
9. The remaining documents, except the Objection to Debtor’s Answer, are sent to the debtor via certified mail.
10. Service may also be done by personal service by the sheriff or a private process server.
11. There is no court date for an earnings garnishment.
12. Hold onto the objection form. If the debtor files an answer and the employer stops the garnishment, the employer must mail you a copy of a debtor’s answer. You can then fill out the objection, come to **Room G-9** and ask at the receptionist window for a small claims clerk, and a hearing will be scheduled as to whether the debtor can be garnished.